



# NEW ORLEANS POLICE DEPARTMENT OPERATIONS MANUAL

## CHAPTER: 17.2.2

### TITLE: TAKE-HOME VEHICLES

**EFFECTIVE: 04/08/2018**

**REVISED: (Replaces Policy 705)**

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#### PURPOSE

This chapter assigns to members the responsibility for assisting in maintaining take-home vehicles so that they are properly equipped, maintained, and refueled and present a clean appearance. This Chapter provides guidelines for take-home vehicle use as well as the fleet manager's responsibilities.

#### POLICY STATEMENT

1. Take-home vehicles assigned to NOPD members are to be used for commuting to-and-from on-duty shifts.
2. Assigned take-home vehicles may be used for approved police secondary employment and for limited personal use.
3. A department member assigned a take-home vehicle shall complete a City of New Orleans Take-home Vehicle Add/Delete/Change Form. A member and supervisor shall make sure a payroll deduction is taken from his/her pay for vehicle usage (CAO Circular Memorandum 10-08 and CAO Policy Memorandum No. 5(R)) via his/her ADP payroll entry.
4. Members assigned a take-home unit shall keep the appropriate fuel card in the vehicle at all times (CAO Policy Memorandum 5(R)).
5. Members assigned a take-home vehicle shall not share or authorize another person to drive or use the take-home vehicle unless the person is a member of the department and the use is during the course and scope of his/her job assignment while on-duty.
6. Off-duty use of a take-home vehicle without the required personal insurance coverage mandated by this Chapter is an unauthorized use of the vehicle and subject to disciplinary action.

#### DEFINITIONS

**Limited personal use**—Incidental, personal errands outside the course and scope of City / Department business, so long as such errands are conducted to and from the member's duty

shift assignment without significant deviation, are brief in nature, do not detract from the member's responsibilities, are restricted to Orleans Parish, and do not violate NOPD policy or regulations. (See also: **CAO Circular Memorandum 18-02 (I) (A)**).

**Off-Duty use of a take-home vehicle**—Any use of an assigned take-home vehicle that is not on-duty use or limited personal use. Off-duty use of a take-home vehicle is not covered by the City's Self-Insurance Program.

### **ASSIGNED VEHICLE AGREEMENT**

7. A vehicle assigned to a member for his/her use within his/her job assignment may be used for work-related purposes, to transport the member to and from work, and for limited personal use as authorized in this Chapter and in accordance with CAO Policy (5) R and CAO Circular Memorandum 18-02.
8. Limited personal use of a departmental vehicle shall be covered by the City's self-insurance program when the vehicle is being used within the restrictions of this Chapter. Examples include:
  - (a) Regular commute time to and from the member's on-duty shift assignment and home.
  - (b) Use during and driving to and from authorized police secondary employment.
9. The agreement also requires the member to be responsible for the vehicle's care and maintenance. Under Internal Revenue Service (IRS) regulations, personal use of the vehicle may be considered a taxable income to the member.
10. The assignment of take-home vehicles is at the discretion of the member's Bureau Chief. Assigned vehicles may be changed at any time and/or permission to take-home a vehicle may be withdrawn at any time.
11. Department vehicles shall only be driven by department members and members of the Equipment Maintenance Division (EMD) while undergoing repairs or maintenance.

### **VEHICLES SUBJECT TO INSPECTION**

12. All department vehicles are subject to inspection and/or search at any time by a supervisor. No member assigned to or operating such a vehicle shall be entitled to any expectation of privacy with respect to the vehicle or its contents.

### **SECURITY**

13. Members may use take-home vehicles only with prior approval from their Bureau Chief and shall meet the following criteria:
  - (a) Vehicles shall be locked when not attended.
  - (b) All firearms and kinetic impact weapons shall be removed from the interior of the vehicle and placed in the trunk or properly secured in the residence when the vehicle is not attended (refer to **Chapter 1.4 - Firearms**).
  - (c) Meet the requirements of CAO Policy Memorandum 5R.

### **ALTERATIONS TO VEHICLES**

14. No department vehicle may be altered without written approval of the Superintendent of Police or his/her designee, including but not limited to the addition or removal of:
  - (a) Window tinting, with the exception of K-9 units transporting an animal (any approved window tinting will be in accordance with R.S. 32:361.1).

- (b) Emergency/strobe lights.
- (c) Stickers or markings identifying a vehicle as a police department unit.
- (d) Any license plate.
- (e) Electronic equipment, including cameras, radios, and GPS or AVL devices.

### **MEMBER RESPONSIBILITIES**

- 15. A member who is assigned a take-home vehicle shall be responsible for maintaining the vehicle in good running order. The member shall be responsible for both scheduled and preventive maintenance and timely repairs to the vehicle in compliance with CAO policy.
- 16. Failure to follow the maintenance schedule or to keep the vehicle in good mechanical condition shall result in the member's loss of take-home privilege.
- 17. A member assigned a take-home vehicle will be responsible for keeping the appearance of the vehicle clean and professional.
- 18. A member assigned a take-home vehicle is responsible for obeying all traffic and parking laws while on and off duty and adhere to Rule 2, Moral Conduct and Rule 3, Professional Conduct of the Department Operations Manual.
- 19. Members driving a take-home vehicle shall carry their duty weapon and police radio while driving the vehicle.
- 20. When a member is on vacation, on leave or out of the area in excess of 5 business days, the vehicle shall be stored at the member's place of assignment.

### **MEMBER APPEARANCE**

- 21. Unless authorized by his/her District/Division Commander, a member assigned a take-home vehicle shall be neat and professional in attire. Members shall not wear any type of clothing or accessories that brings embarrassment or discredit to him/her or the department while operating a department vehicle.

### **COMMANDER'S RESPONSIBILITIES**

- 22. Commanders of each unit shall be responsible for keeping spare keys for all vehicles assigned to their unit.
- 23. The Commander of the Bureau, District, Division, Section, or Unit shall have NOPD Form 106 (Vehicle Inventory Reporting Form) completed for each assigned take-home vehicle, in addition to the City of New Orleans Take-Home Vehicle Add/Delete/Change Form. These forms shall be forwarded to the NOPD Fleet Manager each time a vehicle's status is changed.
- 24. The Commander of the Bureau, District, Division, Section, or Unit shall issue a copy of CAO Policy Memorandum No. 5(R) and CAO Circular Memorandum No. 10-08 to any member assigned a take-home vehicle under his/her command, and the member shall acknowledge receipt. Members must keep a copy of CAO Policy Memorandum 5(R) and CAO Circular Memorandum No. 10-08 and 18-2 in the vehicle at all times. Vehicle registration documentation and a copy of the City's self-insurance letter shall be kept in the vehicle at all times.
- 25. Commanders are responsible for issuing the City of New Orleans Take-home Vehicle Log to members who are assigned a take-home vehicle. Members shall be responsible

for completing the vehicle log. Vehicle logs shall be kept inside the vehicle for inspection upon the request of the appropriate authority.

### **FLEET MANAGER**

26. The NOPD Fleet Manager shall forward all City of New Orleans Take-home Vehicle Add/Delete/Change Forms to the CAO for approval. Once the form is approved, the Commander of Fleet Management shall forward a copy to the member's current place of assignment. A copy of the approved form shall be placed in the member's personnel file.
27. The NOPD Fleet Manager shall conduct a quarterly vehicle, equipment and take-home assignment inventory. The inventory shall be sent to the Chief Administrative Office in the format specified by the Chief Administrative office. The inventory shall include all information detailed in #5, B of the CAO Policy Memorandum 5(R) and any additional information as specified by the Chief Administrative Office. The inventory shall cover all vehicles owned or leased by the City and/or under control of the department.

### **RESTRICTIONS ON DEPARTMENTAL VEHICLE USE**

28. Members using a police vehicle, marked or unmarked, to go out of state shall request permission through his/her chain of command to the Superintendent of Police or his/her designee.
29. Members using a police vehicle, marked or unmarked, to go out of Orleans Parish shall request permission through his/her Bureau Chief, unless it is in the performance of their official duties. Members living outside of Orleans Parish shall ensure they have completed a City of New Orleans Take-home Vehicle Add/Change/Delete form.
30. Members shall not be assigned a take-home vehicle while:
  - (a) On reassignment;
  - (b) Suspension;
  - (c) Limited duty; and/or
  - (d) Extended sick leave.

### **RESTRICTIONS ON TAKE-HOME DEPARTMENTAL VEHICLE USE**

31. Assigned take-home vehicles may only be used within Orleans Parish or within 20 miles of the member's residence unless written authorization is granted by the Superintendent of Police.
32. The City's self-insurance program shall not cover an assigned take-home vehicle when the member uses the vehicle off-duty outside of the restrictions of limited personal use.
33. Use of a take-home vehicle off-duty shall not violate NOPD policies or regulations governing purchase of alcohol, transporting of family members or members of the public outside of duties as a member of the NOPD, or other activities that may result in public criticism.

### **DISCIPLINARY ACTION**

34. Members arrested for driving under the influence while operating a city vehicle or personal vehicle, either on-duty or off-duty, shall lose his/her take-home vehicle privileges for no less than one year, in addition to any other disciplinary action such as a possible suspension and/or termination (CAO Policy Memorandum #89R).

35. A member under suspension shall leave his/her take-home vehicle parked at his/her assignment throughout the duration of the suspension. The Commander of the Bureau, District, Division, Section, or Unit shall ensure the suspended member complies with this provision.

## **INSURANCE**

36. Members assigned a take-home vehicle are required to endorse his/her current personal automobile policy to provide coverage for Non-Owned Autos for off-duty use. The liability limits shall be at least the mandatory state minimum financial responsibility limits.
37. Members assigned a take-home vehicle who do not own a personal vehicle or have a personal automobile insurance policy in force MUST purchase a personal Non-Owned Automobile Liability and Physical Damage Coverage (Comprehensive and Collision) policy for off-duty use. The liability limits shall be at least the mandatory state minimum financial responsibility limits.
38. Members assigned a take-home vehicle who use the vehicle off-duty shall provide a copy of their current personal automobile insurance policy, or his/her current personal non-owned automobile insurance policy (Comprehensive and Collision) to the Fleet Manager prior to any off-duty use.
39. It is the responsibility of the Fleet Manager to make sure insurance policies, or proof of insurance coverage, are submitted as they are renewed. The following is the minimal vehicle insurance coverage required of every member with a take-home vehicle who uses it off-duty:
- (a) Bodily injury and property damage liability - Mandatory State Minimum Financial Responsibility Limits.
  - (b) Uninsured Motorist - No less than the Minimum Financial Responsibility Limits, or the member's liability limits, whichever is greater.
  - (c) Comprehensive and Collision - The deductibles will be the sole responsibility of the member and will not be borne in any way by the City, and all property damage losses will be paid to the City.

## **USE OF A TAKE-HOME VEHICLE ON PAID DETAILS**

40. A member must list his/her take-home vehicle in the N.O.P.D. equipment used on detail section of the NOPD Form 21 (Paid Detail Authorization Form) for approval to use it on a paid detail.